

THE HONORABLE JAMES ROBART

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FRED and KATHLEEN STARK, a
married couple,

Plaintiffs,

vs.

THE SEATTLE SEAHAWKS,
FOOTBALL NORTHWEST, LLC, a
Washington limited liability company,
FIRST & GOAL, INC., a Washington
corporation, THE WASHINGTON STATE
PUBLIC STADIUM AUTHORITY, a
Washington municipal corporation, and
LORRAINE HINE, in her capacity as chair
of the Washington State Public Stadium
Authority board of directors,

Defendants.

Case No. CV 06-1719 JLR

[PROPOSED] ORDER DENYING
DEFENDANTS' SUMMARY
JUDGMENT MOTIONS

Noted for May 18, 2007

This matter came before the Court on the motions of Defendants, The Seattle
Seahawks, Football Northwest, LLC, First & Goal, Inc., PSA and Lorraine Hine, for an order
granting them summary judgment dismissing the plaintiff's claims for Violation of Fourth

[PROPOSED] ORDER DENYING
DEFENDANTS' SUMMARY JUDGMENT
MOTIONS - 1

CV 06-1719 JLR

LAW OFFICES
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Amendment Rights, Violation of Civil Rights under 42 U.S.C. § 1983 and Violation of Washington State Constitution. The Court has considered the following pleadings:

1. Seahawks Defendants' Motion for Summary Judgment (State Action) and Supporting Memorandum of Authorities;
2. Declaration of Paul A. Ainsworth in Support of The Seahawks Defendants' Motion for Summary Judgment (State Action) and attached exhibits;
3. Motion for Summary Judgment and Memorandum in Support by Defendants PSA and Hine;
4. Declaration of Lorraine Hine in Support of Motion for Summary Judgment by Defendants PSA and Hine;
5. Declaration of Ann Kawasaki Romero in Support of Motion for Summary Judgment by Defendants PSA and Hine and attached exhibits;
6. Plaintiffs' Consolidated Response to Defendants' Motions for Summary Judgment;
7. Declaration of Garth D. Wojtanowicz in Support of Plaintiffs' Consolidated Response to Defendants' Motions for Summary Judgment;
8. _____;
9. _____;
10. _____.

Having considered the arguments of the parties and being otherwise fully advised in the premises, it is hereby ORDERED that the Motions of all Defendants for Summary Judgment are DENIED.

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**[PROPOSED] ORDER DENYING
DEFENDANTS' SUMMARY JUDGMENT
MOTIONS - 2**

CV 06-1719 JLR

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1 DONE IN OPEN COURT this ____ day of May, 2007.

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4 JUDGE JAMES L. ROBART

5 Presented by:

6 DANIELSON HARRIGAN & TOLLEFSON LLP

7
8
9 By 

10 Timothy G. Leyh, WSBA #14853

Christopher T. Wion, WSBA #33207

Garth D. Wojtanowicz, WSBA #30822

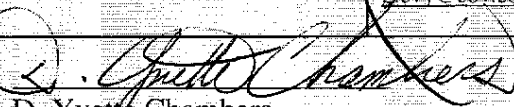
11 Attorneys for Plaintiffs Fred and Kathleen Stark

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[PROPOSED] ORDER DENYING
DEFENDANTS' SUMMARY JUDGMENT
MOTIONS - 3

CV 06-1719 JLR

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I declare under penalty of perjury of the laws of the State of Washington that on May 8, 2007, I caused to be served a copy of this document upon the following:

<p>Tim J. Filer / Jeffrey Miller Foster Pepper LLC 1111 Third Ave., Suite 3400 Seattle, WA 98101-3299</p>	<p><input type="checkbox"/> Legal Messenger <input type="checkbox"/> By Mail <input type="checkbox"/> By Facsimile (206) 447-9700 <input checked="" type="checkbox"/> By E-Mail FileT@Foster.com MHJE@Foster.com howej@foster.com</p>
<p>Stephen T. Janik / John Dunbar Ball Janik LLP One Main Place 101 SW Main St, Suite 1100 Portland, OR 97204</p>	<p><input type="checkbox"/> Legal Messenger <input type="checkbox"/> By Mail <input type="checkbox"/> By Facsimile (503) 295-1058 <input checked="" type="checkbox"/> By E-Mail sjanik@balljanik.com jdunbar@bjlp.com ismith@bjlp.com lpjordan@balljanik.com</p>
<p>Paul A. Ainsworth Gregg H. Levy Covington & Burling LLP 1201 Pennsylvania Ave., NW Washington, DC 20004-2401</p>	<p><input type="checkbox"/> Legal Messenger <input type="checkbox"/> By Mail <input type="checkbox"/> By Facsimile (202) 662-6291 <input checked="" type="checkbox"/> By E-Mail painsworth@cov.com glevy@cov.com</p>
<p> D. Yvette Chambers</p>	

**[PROPOSED] ORDER DENYING
DEFENDANTS' SUMMARY JUDGMENT
MOTIONS - 4**

CV 06-1719 JLR

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